

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CITIZENS FOR COMMUNITY VALUES, INC., :

Plaintiff, :

vs. :

UPPER ARLINGTON PUBLIC LIBRARY
BOARD OF TRUSTEES, :

Defendant. :

Case No. 2:08-cv-00223-GCS-NMK

Judge George C. Smith

Magistrate Judge Norah McCann King

**DECLARATION OF TIMOTHY D. CHANDLER IN SUPPORT OF
PLAINTIFF'S MOTION FOR ATTORNEYS FEES AND NON-TAXABLE COSTS**

Pursuant to 28 U.S.C. § 1746, I, Timothy D. Chandler, state as follows:

1. The matters declared herein are based upon my own personal knowledge.
2. I am an attorney with the Alliance Defense Fund, a non-profit public interest law firm. I am counsel for Plaintiff in the above-captioned matter.
3. This declaration is filed to demonstrate the reasonableness of the total number of hours I incurred on behalf of Plaintiff in this matter.
4. My participation in this case included researching and drafting pleadings, motions, memoranda, discovery-related documents and correspondence, as well as working on Plaintiff's fee application.
5. As reflected on the attached timesheet, I personally spent a total of 148.2 hours in furtherance of the excellent results obtained in this litigation on behalf of our client. My timesheet is based on contemporaneous time records that I kept as I worked on each task. However, after reviewing my timesheet and coordinating with my co-counsel as part of my

firm's regular practice of exercising billing discretion (to attempt to ensure that we eliminate administrative tasks, excessive research or drafting, or duplicative work from our fee requests), I have omitted from my timesheet 22.1 hours worth of work performed, and reduced the total number of hours for which my firm seeks compensation to 126.1 hours. These omissions are reflected in the "Adjusted Hours" column and corresponding notes included in my itemized time statement, attached hereto as Exhibit A.

6. When multiplied by my hourly rate of \$200.00, the total amount of attorney fees for which I personally seek recovery is \$25,220.00.

7. In addition to attorney fees, our firm has incurred out-of-pocket litigation expenses in the amount of \$53.83. These expenses were incurred for shipping, postage, and a conference call to conduct a pretrial conference. A detailed itemization of the expenses is set forth in the Schedule of Non-Taxable Expenses, attached hereto as Exhibit B.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 26th day of September, 2008.

/s/ Timothy D. Chandler
Timothy D. Chandler
CA Bar No. 234325
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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2008, I electronically submitted the foregoing document with the Clerk of Court using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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